

Introduced by Senator SimitianFebruary 16, 2011

An act to amend Section 6267 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

SB 445, as introduced, Simitian. California Public Records Act: library records.

The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of any person, to provide a copy of any public record unless the record is exempt from disclosure. The act provides that all registration and circulation records of any library which is in whole or in part supported by public funds is confidential and shall not be disclosed to any person, except as provided.

This bill would, instead, provide that patron use records, as defined, of any library which is in whole or in part supported by public funds shall remain confidential and not be disclosed, except as provided.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6267 of the Government Code is amended
- 2 to read:
- 3 6267. All ~~registration and circulation~~ *patron use* records of
- 4 any library which is in whole or in part supported by public funds
- 5 shall remain confidential and shall not be disclosed to any person,
- 6 local agency, or state agency except as follows:

1 (a) By a person acting within the scope of his or her duties
2 within the administration of the library.

3 (b) By a person authorized, in writing, by the individual to whom
4 the records pertain, to inspect the records.

5 (c) By order of the appropriate superior court.

6 As used in this section, the term ~~“registration”~~ *“patron use*
7 *records”* includes any information ~~which~~ *that* a library requires a
8 patron to provide in order to become eligible to borrow *or use*
9 books and other materials, and the term ~~“circulation records”~~
10 ~~includes~~ any information ~~which~~ *that* identifies the patrons
11 borrowing *or using* particular books and other material.

12 This section shall not apply to statistical reports of ~~registration~~
13 ~~and circulation~~ *patron use* nor to records of fines collected by the
14 library.